



April 29, 2004

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05/17/04  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Vincent J. Schiavone  
James H. Koenig  
David I. Brussin

Group Art Unit: N/A  
Examiner: N/A

Application No.: 10/084,038 (Attorney Docket No. P27,530 USA)

Filing Date: February 26, 2002

For: SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION  
OF NETWORK COMMUNICATIONS

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CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence, along with any papers indicated as being enclosed, are being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2004.

*Kathy P. Higgins*  
Kathy P. Higgins

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST TO CORRECT  
INVENTORSHIP PURSUANT TO 37 CFR § 1.48(a)

Sir:

1. Applicants petition to add the following inventor, omitted by error without deceptive intention, as inventor for this application:

David I. Brussin Berwyn, PA

2. Attached hereto is a Declaration of the added inventor, David I. Brussin, stating that the error in inventorship occurred without deceptive intent on his part.

05/05/2004 WBD/ELR1 00000017 10084038

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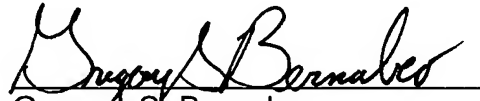
3. Attached hereto is a combined Declaration/Power of Attorney signed by the actual inventors.

4. Also attached hereto is a Written Consent to the Correction of Inventorship which has been signed on behalf of the assignee.

5. The fee for this request to correct inventorship pursuant to 37 CFR § 1.48(a) is \$130.00 (37 CFR § 1.17(i)). A check in the amount of \$130.00 to cover the correction of inventorship fee is enclosed.

Please charge Account No. 19-5425 for any fee deficiency. A duplicate of this page is enclosed.

Date: April 29, 2004

  
Gregory S. Bernabeo  
Registration No. 44,032

Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
Telephone: 215-923-4466  
Facsimile: 215-923-2189

2143/\$



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**P27,530 USA**

In Re: Application Of: **Vincent J. Schiavone, James H. Koenig and David I. Brussin**

Serial No.	Filing Date	Examiner	Group Art Unit
10/084,038	February 26, 2002	N/A	N/A

Title: **SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION OF NETWORK COMMUNICATIONS**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is:

**Request to Correct Inventorship Pursuant to 37 CFR Section 1.48(a)**

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in the above identified application.

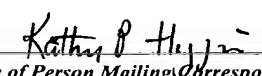
- ☐ No additional fee is required.
- ☒ A check in the amount of **\$130.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-5425** as described below.
  - ☐ Charge the amount of
  - ☒ Credit any overpayment.
  - ☒ Charge any additional fee required.

  
\_\_\_\_\_  
Signature

Dated: **April 29, 2004**

**Gregory S. Bernabeo, Reg. No. 44,032**  
**Synnestvedt & Lechner LLP**  
**2600 Aramark Tower**  
**1101 Market Street**  
**Philadelphia, PA 19107-2950**  
**Tel: 215-923-4466**  
**Tel: 215-923-2189**

Commissioner  
For  
Patents

I certify that this document and fee is being deposited on <b>April 29, 2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.	
	
Signature of Person Mailing Correspondence	
<b>Kathy P. Higgins</b>	
Typed or Printed Name of Person Mailing Correspondence	

CC:



February 18, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Vincent J. Schiavone**  
**James H. Koenig**  
**David I. Brussin**

Group Art Unit: **N/A**

Examiner: **N/A**

Application No.: **10/084,038** (Attorney Docket No. **P27,530 USA**)

Filing Date: **Herewith**

For: **SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION  
OF NETWORK COMMUNICATIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**DECLARATION OF DAVID I. BRUSSIN  
IN SUPPORT OF THE PETITION TO CORRECT  
INVENTORSHIP PURSUANT TO 37 CFR § 1.48(a)**

Sir:

I hereby declare that:

1) I am aware that U.S. Patent Application No. 10/084,038 (the '038 application) was filed on February 26, 2002 in the names of Vincent J. Schiavone and James H. Koenig as co-inventors.


2) I have reviewed the '038 application, including the claims presently pending in the '038 application.

3) I believe that I am a co-inventor with Vincent J. Schiavone and James H. Koenig of the subject matter of at least one claim now pending in the '038 application.

4) The error in omitting my name as an inventor in the aforementioned application occurred without deceptive intent on my part.

5) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 2/20/2004

  
David I. Brussin



April 27, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Vincent J. Schiavone  
James H. Koenig  
David I. Brussin

Group Art Unit: N/A  
Examiner: N/A

Application No.: 10/084,038 (Attorney Docket No. P27,530 USA)

Filing Date: February 26, 2002

For: SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION  
OF NETWORK COMMUNICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**WRITTEN CONSENT OF ASSIGNEE  
TO CORRECTION OF INVENTORSHIP**

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Sir:

1. TurnTide, Inc., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at 1200 River Road, Suite 1300, Conshohocken, PA 19428 U.S.A., hereinafter called the Assignee, states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of a chain of title from the inventors, of the above-identified patent application, to the current assignee as shown below:

a. Assignment from inventors Vincent J. Schiavone and James H. Koenig to ePrivacy Group, Inc. This document was recorded in the U.S. Patent and Trademark Office at Reel/Frame: 012889/0038.

b. Assignment transferring U.S. Application No. 10/084,380 from ePrivacy Group, Inc. to Squelcher Technologies, Inc. (copy attached).

c. Certificate of Amendment of Amended and Restated Certificate of Incorporation of Squelcher Technologies, Inc., dated February 19, 2004, changing the corporate name of Squelcher Technologies, Inc. to TurnTide, Inc. (copy attached).

d. Assignment from inventor David I. Brussin to TurnTide, Inc. (copy attached).

2. Assignee hereby consents to the correction of inventorship in the above-identified matter to add inventor David I. Brussin.

3. The undersigned is empowered to sign this statement on behalf of Assignee.

TurnTide, Inc.

Date: 4/28/04

  
\_\_\_\_\_  
Lucinda Duncalfe Holt  
President

## ASSIGNMENT

Whereas, ePrivacy Group, Inc., a corporation of the State of Delaware, having an office at Paoli Executive Green II, Suite 300, 43 Leopard Road, Paoli, PA 19301, hereinafter referred to as Assignor, is the sole owner of all right, title and interest in and to the invention(s) described and claimed in U.S. Patent Application No. 10,084,038, filed on February 26, 2002 (the Application), which is a U.S. non-provisional patent application claiming the benefit of U.S. Provisional Patent Application No. 60,271,521, filed February 26, 2001, by virtue of an Assignment recorded in the Assignment Division of the U.S. Patent and Trademark Office on May 3, 2002 at microfilm Reel 012889, Frame 0038; and

Whereas, Squelcher Technologies, Inc., a corporation of the State of Delaware, having an office at Paoli Executive Green II, Suite 300, 43 Leopard Road, Paoli, PA 19301, hereinafter referred to as Assignee, is desirous of acquiring the entire right, title and interest in and to the same;

Now, therefore, in consideration of the sum of One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors, assigns and legal representatives the entire right, title and interest in and to the Application and the invention(s) therein described, and all the rights and privileges in the Application and under any and all Letters Patent that may be granted in the United States for said invention(s), including all rights of priority arising from the Application, and all reissues, extensions, renewals, divisions, and continuations



thereof, to the full term or terms for which said Letters Patent may be issued, and all the rights and privileges under any and all forms of protection, the same to be held and enjoyed by Assignee, its successors, assigns and legal representatives, the same as it would have been held and enjoyed by Assignee if this assignment had not been made; and Assignor also concurrently hereby sells, assigns and transfers to Assignee the entire right, title and interest in and to the Application and the invention(s) therein described for all countries foreign to the United States, including all rights of priority arising from the Application, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said invention(s).

Assignor hereby authorizes and requests that any and all patents for said invention(s) be issued to Assignee in the United States and in all countries foreign to the United States, or to such nominees as Assignee may designate.

Assignor further covenants and agrees that Assignor, its successors, assigns and legal representatives will execute and deliver to Assignee, its successors, assigns and legal representatives any further documents or instruments and do any and all further acts that may be deemed necessary by Assignee to enable Assignee, its successors, assigns and legal representatives to file applications for any improvements or inventions in the United States of America and that may be necessary to vest in Assignee, its successors, assigns and legal representatives the title herein conveyed or intended so to be, and to enable such title to be recorded in the United States Patent Office.

Assignor agrees that, when requested, Assignor shall, without charge to Assignee, but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with the Application, patents, or other forms of protection.

IN TESTIMONY THEREOF, we have hereunto set our hand and seal this 4th day of February, 2004.

Date: 2/6/04

ePrivacy Group, Inc.

By: 

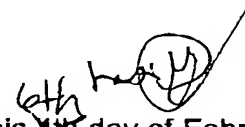
Vincent J. Schiavone  
Chief Executive Officer

United States of America

State of Pennsylvania

County of Chester

)  
)  
) ss:  
)  
)

 On this 4th day of February, 2004, before me personally came **Vincent J. Schiavone**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

  
Notary Public

NOTARIAL SEAL  
HOLLY A. SUTTER, Notary Public  
Easttown Twp., Chester County  
My Commission Expires January 22, 2006



# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SQUELCHER TECHNOLOGIES, INC.", CHANGING ITS NAME FROM "SQUELCHER TECHNOLOGIES, INC." TO "TURNTIDE, INC.", FILED IN THIS OFFICE ON THE NINETEENTH DAY OF FEBRUARY, A.D. 2004, AT 7:58 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

3750065 8100  
040120247



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 2941879

DATE: 02-20-04



CERTIFICATE OF AMENDMENT  
OF  
AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
SQUELCHER TECHNOLOGIES, INC.

Squelcher Technologies, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: That the Board of Directors of Squelcher Technologies, Inc., by the unanimous written consent of its members, filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Amended and Restated Certificate of Incorporation of said corporation:

RESOLVED, that the Amended and Restated Certificate of Incorporation of Squelcher Technologies, Inc. be amended by changing the First Article thereof so that, as amended, said Article shall be and read as follows:

The name of the Corporation is TurnTide, Inc. (the Corporation").


SECOND: That in lieu of a meeting and vote of stockholders, the stockholders have given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

FOURTH: That this Certificate of Amendment of the Amended and Restated Certificate of Incorporation shall be effective upon filing.

IN WITNESS WHEREOF, Squelcher Technologies, Inc. has caused this certificate to be signed by Lucinda Duncalfo Holt, its President, this 19 day of February, 2004.

Squelcher Technologies, Inc.

  
By: Lucinda Duncalfo Holt  
President

1-PW1957-23.1

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 09:16 PM 02/19/2004  
FILED 07:58 PM 02/19/2004  
SRV 040120247 - 3750065 FILE

## ASSIGNMENT AND AGREEMENT

For value received, I, David I. Brussin, of Berwyn, in the County of Chester and State of Pennsylvania, hereby sell, assign and transfer to TurnTide, Inc., a corporation of the State of Delaware, having an office at 1200 River Road, Suite 1300, Conshocken, PA 19428 and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION OF NETWORK COMMUNICATIONS** described in **U.S. Patent Application No. 10/084,038, filed on February 26, 2002**, and as amended thereafter, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to TurnTide, Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

I authorize TurnTide, Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of TurnTide, Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to TurnTide, Inc. in the United States and in all countries foreign to the United States, or to such nominees as TurnTide, Inc. may designate.

I agree that, when requested, we shall, without charge to TurnTide, Inc., but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Date: 28 April 2004

  
David I. Brussin

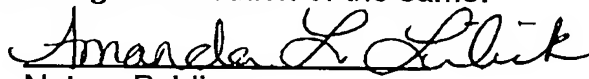
United States of America

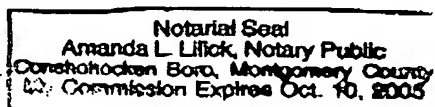
State of Pennsylvania

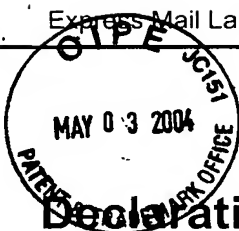
County of Montgomery

)  
)  
) ss:  
)  
)

On this 28<sup>th</sup> day of April, 2004, before me personally came **David I. Brussin**, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

  
Notary Public




Docket No.  
P27,530 USA

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SYSTEM AND METHOD FOR CONTROLLING DISTRIBUTION OF NETWORK COMMUNICATIONS**

the specification of which

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(check one)

☐ is attached hereto.

☒ was filed on February 26, 2002 as United States Application No. or PCT International Application Number 10/084,038

and was amended on February 11, 2004 by Preliminary Amendment

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Jane E. Alexander Reg. No. 36,014  
Robert R. Axenfeld Reg. No. 37,276  
Alexis Barron Reg. No. 22,702  
Gregory S. Bernabeo Reg. No. 44,032  
Peter J. Butch III Reg. No. 32,203  
John A. Chionchio Reg. No. 40,954  
Christopher P. Dahling Reg. No. 51,140  
Stephen J. Driscoll Reg. No. 37,564  
H. Eric Fischer Reg. No. 46,010  
Brett T. Freeman Reg. No. 46,709  
Gary A. Hecht Reg. No. 36,826

Patrick J. Kelly Reg. No. 34,638  
Lisa B. Lane Reg. No. 38,217  
Charles H. Lindrooth Reg. No. 20,659  
Peter D. Mlynek Reg. No. 47,802  
Theodore Naccarella Reg. No. 33,023  
Joseph P. Posillico Reg. No. 32,290  
Mark D. Simpson Reg. No. 32,942  
Joshua R. Slavitt Reg. No. 40,816  
Marilou E. Watson Reg. No. 42,213  
Gene J. Yao Reg. No. 47,193  
Jonathan M. Dermott Reg. No. 48,608

Send Correspondence to:

Gregory S. Bernabeo, Reg. No. 44,032  
Synnestvedt & Lechner LLP  
1101 Market Street, Philadelphia, PA 19107-2950

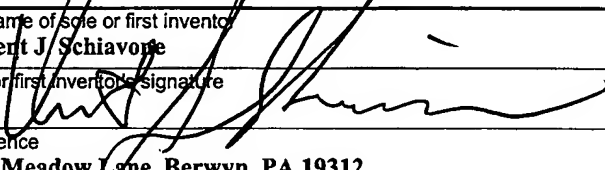
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Direct Telephone Calls to: *(name and telephone number)*

Gregory S. Bernabeo, Telephone No. 215-923-4466

Full name of sole or first inventor <b>Vincent J. Schiavone</b>	
Sole or first inventor's signature 	Date <b>9-27-04</b>
Residence <b>1304 Meadow Lane, Berwyn, PA 19312</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as Residence</b>	

Full name of second inventor, if any <b>James H. Koenig</b>	
Second inventor's signature	Date
Residence <b>4523 Ritchie Street, Philadelphia, PA 19127</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as Residence</b>	



I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/271,521

(Application Serial No.)

02/26/2001

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

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I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Jane E. Alexander Reg. No. 36,014  
 Robert R. Axenfeld Reg. No. 37,276  
 Alexis Barron Reg. No. 22,702  
 Gregory S. Bernabeo Reg. No. 44,032  
 Peter J. Butch III Reg. No. 32,203  
 John A. Chionchio Reg. No. 40,954  
 Christopher P. Dahling Reg. No. 51,140  
 Stephen J. Driscoll Reg. No. 37,564  
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 Joshua R. Slavitt Reg. No. 40,816  
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 Gene J. Yao Reg. No. 47,193  
 Jonathan M. Dermott Reg. No. 48,608

Send Correspondence to:

Gregory S. Bernabeo, Reg. No. 44,032  
 Synnestvedt & Lechner LLP  
 1101 Market Street, Philadelphia, PA 19107-2950

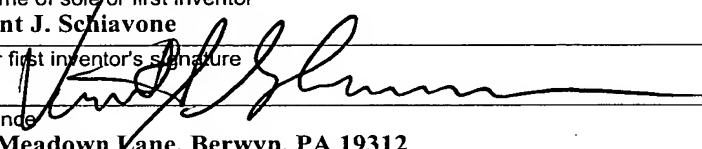
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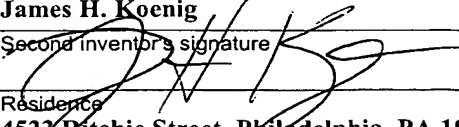
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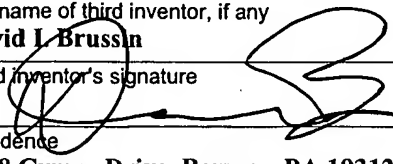
Direct Telephone Calls to: *(name and telephone number)*

Gregory S. Bernabeo, Telephone No. 215-923-4466

Technology Center 2100

Full name of sole or first inventor <b>Vincent J. Schiavone</b>	
Sole or first inventor's signature 	Date
Residence <b>1304 Meadow Lane, Berwyn, PA 19312</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as Residence</b>	

Full name of second inventor, if any <b>James H. Koenig</b>	
Second inventor's signature 	Date <b>4/15/04</b>
Residence <b>4523 Ritchie Street, Philadelphia, PA 19127</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as Residence</b>	

Full name of third inventor, if any <b>David L. Brusslin</b>	
Third inventor's signature 	Date <b>2/20/2004</b>
Residence <b>1108 Cymry Drive, Berwyn, PA 19312</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as Residence</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	<b>RECEIVED</b>
Citizenship	<b>MAY 07 2004</b>
Post Office Address	<b>Technology Center 2100</b>

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	